THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.5401 of 2007

24.4.2007

Between:

K.Srinivasa Raju, Managing Partner, M/s.Bhagya Sai Constructions, Seethammadhara, Visakhanatman

… Petitioner

AND

The Secretary, Ramanayyapeta Gram Panchayat, Kakinada Mandal, East Godavari District

And others

… Respondents

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ORDER:

The petitioner filed the instant writ petition seeking a writ of Mandamus declaring the action of the first respondent, namely, Ramanayyapeta Gram Panchayat, Kakinada Mandal, in not considering the application dated 02.11.2006 made by the petitioner seeking building permission as illegal and arbitrary.

The case of the petitioner is that he purchased 2420 Sq.yards in survey No.179 at Ramanayyapeta village of Kakinada Mandal in East Godavari District, under registered agreement of sale and General Power of Attorney (GPA) and applied to the respondents seeking building permission. After getting instructions, learned Standing Counsel for the Gram Panchayat submits that the land vests in the Gram Panchayat and petitioner has not made any such application. As and when the application is made, the same will be considered. Therefore, the petitioner has no right that can be enforced in a writ petition.

The writ petition is misconceived and is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

April 24, 2007.

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